

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1-15 and 22-27 are now pending in the present application, claims 16, 18, 19 and 21 having been cancelled by the present Amendment. Claims 1-13 and 22-27 are allowed. Claims 14-16, 18, 19 and 21 were rejected.

Claim Objections

Claims 16 and 20 were objected to for informalities.

Claim 16 has been cancelled by the present Amendment. Further, applicants appreciate the Examiner's helpful indication that claim 20 had been previously cancelled. In the present Amendment, claim 20 has been appropriately identified as having been cancelled with the proper status identifier.

In view of the foregoing amendments and remarks, reconsideration and withdrawal of the objection to the claims are respectfully requested.

Claim Rejection – 35 U.S.C. §112, first paragraph

Claims 16, 18, 19 and 21 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

As noted above, claims 16, 18, 19 and 21 have been cancelled by the present Amendment. Accordingly, the rejection of claims 16, 18, 19 and 21 under §112, first paragraph, is no longer applicable. Withdrawal of the objection to the claims is respectfully requested.

Claim Rejection – 35 U.S.C. §101

Claims 16, 18, 19 and 21 were rejection under 35 U.S.C §101 because these claims are allegedly directed to non-statutory subject matter.

In view of the cancellation of claims 16, 18, 19 and 21, it is submitted that the rejection of claims 16, 18, 19 and 21 under 35 U.S.C. §101 is no longer applicable. Withdrawal of the rejection under 35 U.S.C. §101 is respectfully requested.

Claim Rejection – 35 U.S.C. §102

Claims 14 and 15 were rejected under 35 U.S.C. §102(b) as being anticipated by **Heuer** (USP 4,318,130). For the reasons set forth in detail below, this rejection is respectfully traversed.

Independent claim 14 has been amended to recite “wherein the remote controller comprises a reader for reading from a medium having channel setting information recorded thereon the channel setting information and a transmission section for transmitting to the broadcasting receiver the whole or a part of the read channel setting information.” Support for this amendment is found, e.g., in claims 1 and 4, as originally filed.

It is respectfully submitted that **Heuer** does not disclose or suggest the claimed features “wherein the remote controller comprises a reader for reading from a medium having channel setting information recorded thereon the channel setting information and a transmission section for transmitting to the broadcasting receiver the whole or a part of the read channel setting information,” presently recited in claim 14.

A rejection under §102 requires that each and every element recited in the claim must be disclosed in the prior art reference, and must be arranged as in the claim. It is submitted that **Heuer** does not teach each and every element recited in independent claim 14. Accordingly, it is respectfully submitted that the rejection of claims 14, and claim 15 which depends therefrom, under 35 U.S.C. §102 is improper and should be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

Application No.: 10/784,794
Art Unit: 2622

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 042229

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "William M. Schertler". The signature is fluid and cursive, with the first name "William" being the most prominent part.

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